

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ALLERGAN, INC. and DUKE UNIVERSITY,

Plaintiffs,

v.

APOTEX INC. and APOTEX CORP.,

Defendants.

Case No. 1:10-CV-681-CCE/LPA

ALLERGAN, INC. and DUKE UNIVERSITY,

Plaintiffs,

v.

SANDOZ, INC.,

Defendant.

Case No. 1:11-CV-298-CCE/LPA

ALLERGAN, INC.,

Plaintiff,

v.

APOTEX INC., APOTEX CORP., SANDOZ,
INC., and HI-TECH PHARMACAL CO., INC.,

Defendants.

Case No. 1:12-cv-247-CCE/LPA

ALLERGAN, INC. and DUKE UNIVERSITY,

Plaintiffs,

v.

HI-TECH PHARMACAL CO., INC.,

Defendant.

Case No. 1:11-CV-650-CCE/LPA

ALLERGAN, INC.,

Plaintiff,

v.

HI-TECH PHARMACAL CO., INC.,

Defendant.

Case No. 1:12-cv-492-CCE/LPA

ALLERGAN, INC.,

Plaintiff,

v.

WATSON PHARMACUTICALS, INC., et al.,

Defendant.

Case No. 1:12-cv-321-CCE/LPA

ALLERGAN, INC.,

Plaintiff,

v.

APOTEX INC., APOTEX CORP., SANDOZ,
INC., HI-TECH PHARMACAL CO., INC.,
WATSON PHARMACEUTICALS, INC.,
WATSON LABORATORIES, INC., and
WATSON PHARMA, INC.,

Defendants.

Case No. 1:13-CV-16-CCE/LPA

PLAINTIFFS' SUPPLEMENTAL STATUS REPORT

On October 10, 2014 the Parties submitted a Joint Status Report¹ with respect to these cases. This Report is submitted by Plaintiffs only supplementing that Report with respect to their Petition for Writ of Certiorari in the Supreme Court of the United States filed the same date. That Petition sought review of the Federal Circuit's June 10, 2014 Opinion and Judgment in the '404/'029 Consolidated Cases with respect to the '029 patent. A copy of that Petition was forwarded to the Court by the undersigned on October 13, 2014 as an attachment to email correspondence.

Today, January 12, 2015, the Supreme Court denied that Petition. The denial appears in a list of posted Orders entered in pending cases, which is attached hereto as **Exhibit A**. Plaintiffs' Petition bears docket number 14-465 and is listed with other cases under the heading "CERTIORARI DENIED". The docket for the case on the Supreme

¹ It should be noted that in the JOINT STATUS REPORT the case number for 1:10-CV-681 was accurately listed in the case caption. However, in the "PROCEDURAL BACKGROUND" contained on page one of that Report, that case number was erroneously referred to as 1:10-CV-618.

Court's website also shows the denial of the Petition. Plaintiffs/Appellants anticipate receiving correspondence reflecting the denial of the Petition from the Clerk of the United States Supreme Court and will forward it on to this Court as soon as it is received.

Respectfully submitted, this the 12th day of January 2015.

By: /s/Larry McDevitt _____

Larry McDevitt
N.C. State Bar No. 5032
David Wilkerson
N.C. State Bar No. 35742
THE VAN WINKLE LAW FIRM
11 North Market Street
Asheville, NC 28801
Telephone: (828) 258-2991
Facsimile: (828) 257-2767
E-mail: lmcdevitt@vwlawfirm.com
E-mail: dwickerson@vwlawfirm.com

OF COUNSEL:

Juanita R. Brooks
Roger A. Denning
FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Email: brooks@fr.com
Email: denning@fr.com

Jonathan E. Singer
Deanna J. Reichel
FISH & RICHARDSON P.C.
60 South Sixth St., #3200
Minneapolis, MN 55402
Telephone: (612) 335-5070
Email: singer@fr.com

Email: reichel@fr.com

Jeffrey T. Thomas
GIBSON DUNN & CRUTCHER
3161 Michelson Drive
Irvine, CA 92612
Telephone: 949-451-3800
Email: jtthomas@gibsondunn.com

Douglas E. McCann
Robert Oakes
A. Martina Tyreus Hufnal
Elizabeth M. Flanagan
FISH & RICHARDSON P.C.
222 Delaware Avenue, 17th Floor
P.O. Box 1114
Wilmington, DE 19899-1114
Telephone: 302-652-5070
Email: dmccann@fr.com
Email: oakes@fr.com
Email: hufnal@fr.com
Email: eflanagan@fr.com

Counsel For Plaintiffs
Allergan, Inc. and Duke University

CERTIFICATE OF SERVICE

I hereby certify that, on the 12th day of January, 2015, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF System, which will send notification via electronic means to the attorneys of record at that time.

This the 12th day of January, 2015.

s/ Larry McDevitt
Larry McDevitt